

REMARKS

This amendment is in response to the final Official Action dated February 12, 2007. Claims 1, 9, 24, 29, and 31 have been amended, claims 10-13 and 30 have been cancelled, and claims 34-39 have been added; as such, claims 1, 3, 4, 7-9, 22-29, and 31-39 are currently pending in connection with the present application. Claims 1, 24, and 31 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the following remarks.

35 U.S.C. § 103 Rejections

Claims 1, 3, 4, 7-10, 12, and 22-33 have been rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,757,479 to Niikawa (“Niikawa”) in view of U.S. Patent No. 6,329,787 to Ito et al. (“Ito”), in further view of U.S. Patent Pub. 2007/0271508 to Audet (“Audet”). Applicant respectfully traverses this rejection.

Amended claim 1 now recites:

A method comprising:

storing content on a memory device, said content including an image captured using a portable recorder/playback device;

detaching the portable memory device from the recorder/playback device, **thereby providing access to a secondary user interface on the recorder/playback device that is inaccessible when the portable memory device is attached;**

displaying the image on the portable memory device while the portable memory device is detached from the recorder/playback device; and

displaying functional controls for the recorder/playback device while the portable memory device is connected to the recorder/playback device.

These claimed features include a recorder/playback device having a user interface which are inaccessible when a portable memory device is attached.

Niikawa discloses an image display device that accommodates browsing through image files. Although figure 2 mentions a portable memory device 8, this is a conventional portable memory device (*e.g.*, a flash drive, floppy disk, etc.) that does not include a display. Additionally,

portable memory device 8 is separate from the display device 1. Thus, Niikawa merely appears to disclose a conventional portable memory device 8, which may be inserted into a reading apparatus, such as the image display device 1.

With respect to claim 1, Niikawa clearly does not disclose or suggest, “*providing access to function keys on the recorder/playback device that are inaccessible when the portable memory device is attached.*” Instead, Niikawa appears to merely disclose a conventional portable memory card and playback device. There is user interface that is accessible when the memory device is detached. Thus, it cannot be fairly said that Niikawa discloses or in any way suggests the claimed subject matter.

Ito does not remedy the deficiencies of Niikawa. Ito discloses a portable digital media viewing device for viewing pictures, images, sounds, video, etc. (column 5, lines 25-30). Figure 1 illustrates portable device 14 having display 12 and controls 32. A battery-charging device 24 charges portable device 14. Charging device 24 connects to a power source 50 and a data source 44 (or 147, in figure 5). Figure 3 illustrates the charging process for portable device 14. Prior to mounting portable device 14 onto charging device 24, a user selects the content that charging device 24 will provide portable device 14 (step 2; column 6, lines 51-56). This selection may be made via controls mounted on charging device 24 or by pre-setting the desired media information in portable device 14 (column 6, lines 51-56). Thereafter, after mounting portable device 14 onto charging device 24, charging device 24 serves the dual purpose of charging (step S4) and providing digital content for transfer and storage on portable device 14 (steps S8-S9). Ito does not provide or suggest any device for controlling the recording or capture of digital content, nor does Ito suggest displaying control information while the portable viewer is connected to the charger.

With respect to claim 1, as with Niikawa, Ito also does not disclose or suggest “*providing access to function keys on the recorder/playback device that are inaccessible when the portable memory device is attached.*” At best, Ito discloses that some functionality exists on the *portable digital media viewing device*, when the portable digital media viewing device is detached. However,

Ito does not disclose that any functionality becomes available on the charging device when the portable digital media viewing device.

With respect to claim 1, as with Niikawa and Ito, Audet also does not disclose or suggest “*providing access to function keys on the recorder/playback device that are inaccessible when the portable memory device is attached.*” Audet only provides a mechanism for communicating new organization structures and methods of traversing data to a user. However, Audet does not disclose a particular mechanism having the claimed features cited above. At best, Audet only discloses adjusting the functions of existing buttons relative to the information the user is traversing.

Applicant submits that, even if Niikawa, Ito, and Audet were combinable (which is not admitted), the combination would fail to teach or suggest “*providing access to function keys on the recorder/playback device that are inaccessible when the portable memory device is attached.*” The disclosed devices and systems in Niikawa (*i.e.*, a multi-component image capture and editing workstation) and Ito (*i.e.*, a portable digital media device) and Audet (*i.e.*, a data organization and traversal system) would not prompt one of ordinary skill, and indeed provide no evidence whatsoever to support a conclusion that it would have been obvious to the ordinarily skilled artisan, to create a device having control mechanisms that are only accessible when memory is removed.

Since even a combination of the relied upon references would still fail to yield the claimed invention, Applicant submits that a *prima facie* case of obviousness for claim 1 has not been presented.

Dependent claims 3, 4, 7-9, 22-23, 25-30, and 32-39 incorporate the features recited in independent claims 1, 24, or 31 and thus are not suggested by the combination of Niikawa, Ito, and Audet.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SOA-0387 from which the undersigned is authorized to draw.

Dated: *March 12, 2008*

Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

Christopher M. Tobin

Registration No.: 40,290

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorneys for Applicant